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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,836	03/15/2002	Jean-Louis Dasseux	9196-0022-999	5585

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JONES DAY
222 EAST 41ST ST
NEW YORK, NY 10017

EXAMINER	
CELSA, BENNETT M	

ART UNIT	PAPER NUMBER
1639	

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/099,836	DASSEUX ET AL.	
	Examiner	Art Unit	
	Bennett Celsa	1639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 28 April 2005.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1, 3-9, 12-17, 29, 34, 35, 37, 42, 44 and 54-57 is/are pending in the application.

4a) Of the above claim(s) 44 and 54-56 is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1,3-9,12-17,29,34,35,37,42 and 57 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's amendment dated 4/28/05 is acknowledged.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

DETAILED ACTION

Status of the Claims

Claims 1, 3-9, 12-17, 29, 34, 35, 37, 42, 44 and 54-57 are currently pending.

Claims 1 (in part), 3-9, 12-16(in part), 17 (in part), 29 (in part), 34 (in part), 35 (in part), 37 (in part), 42 (in part) and 57 are under consideration.

Claims 44 and 54-56 are withdrawn from consideration as being directed to a non-elected invention.

NOTE: the above has been revised in accordance with applicant's inadvertent error e.g. that the elected species below properly reads on claim 17 and NOT claim 18. Accordingly, the below rejections have been accordingly revised without prejudice to applicant.

Election/Restrictions

Applicant's election of Group I (claims 1 in part, 3-9, 12-18 in part, 29 in part, 34, in part, 35 in part, 37 in part and 42 in part) in the reply filed on 8/19/04 and applicant's further election of the species of SEQ ID 4 (PVLDLFRELLNELLEALKQKLK), which reads on claims 1 in part, 3-9, 12-16 in part, 17 in part, 29 in part, 34 in part, 35 in part, 37 in part and 42 in part is acknowledged. Because applicant did not distinctly and

specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 44 and 54-56 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.

Withdrawn Objection (s) and/or Rejection (s)

Applicant's submission of a terminal disclaimer has obviated the double patenting rejection of claims 1, 3-6, 9, 12-13, 16, 18 and 37 over claims 1-49 of U.S. Patent No. 6,046,166 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94.

Applicant's argument regarding the restriction between the group I peptides and the group VII method of treating shock was persuasive. Accordingly, the double patenting rejection of claims 1, 3-9, 12-16, 17 and 37 over claims 1-21 of U.S. Patent No. 6,329,341 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94 is hereby withdrawn.

Applicant's arguments regarding the restriction between group I and group II (deletion analogs) was found persuasive. Accordingly, the double patenting rejection Of claims 1, 3-9, 12-16, 17, 29, 34, 35, 37 and 42 over claims 1-34 of U.S. Patent No. 6,573,239 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94 is hereby withdrawn.

Applicant's argument regarding the restriction between the group I peptides and the group VI method of treating dyslipidemia was persuasive. Accordingly, the double patenting rejection of claims 1, 3-9, 12-16, 17, 29, 34, 35, 37 and 42 over claims 1-36 of U.S. Patent No. 6,630,450 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94 is hereby withdrawn.

The provisional double patenting rejection of the claims over the 10/283,599 application has been converted to a non-provisional double patenting rejection in view of the patenting of this application to 6,844,327 as related by applicant.

Outstanding Objection (s) and/or Rejection (s)

III. Claims 1, 3-9, 12-16, 17, 29, 34, 35, 37, 42 and 57 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-21 of U.S. Patent No. 6,376,464 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94.

The Patent claims disclose lipid complexes of ApoA-I agonist peptide compounds Z1-X1-X23-Z2 including the elected peptide species of seq. ID. 4 (e.g. see patent claim 18 peptide 4) and compositions comprising unaltered and altered (e.g. substitution of one or more conservative amino acids). The lipid complexes and/or compounds/compositions taught by the patented claims differ from the presently claimed invention by failing to teach the substitution of D-amino acids for L-amino acids.

However, the Garber et al. reference provides motivation to one of ordinary skill in the art to substitute D-amino acids for L-amino acids in order to produce Apo-A-I

agonist analogs which are "less susceptible to in vivo proteolytic degradation" while retaining comparable biological activity (e.g. residence time; clearance; lipid affinity) to its corresponding L-amino acid containing peptide. See entire Garber article, but particularly, abstract; page 887, left column; Tables 2-4; Figures 1-4; and "Discussion" on pages 891 (right column) to page 893, particularly page 892, right column 2nd full paragraph.

Accordingly, it would have been prima facie obvious to one of ordinary skill in the art at the time of applicant's invention to modify the patented compounds (and compositions thereof) to incorporate one or more D-Amino acids in order to obtain Apo-A-1 agonist analogues which are less susceptible to in vivo proteolytic degradation while retaining comparable biological acitivity to the corresponding L-amino acid containing peptides.

Discussion

Applicant's arguments directed to the above obviousness double patenting rejection were considered but deemed nonpersuasive for the following reasons.

Applicant first argues that the patented claims fail to teach Apo-AI peptides alone but teach a complex of the Apo-A1 peptide with a lipid.

This argument is not persuasive since the patented composition would render obvious the Apo-A1 peptide as an intermediate for combination with the lipid to form the complex. Additionally, the patent claim teaching of the pharmaceutical activity of the Apo-A1 peptide (e.g. LCAT-activation) or a pharmaceutically acceptable salt thereof

would render obvious the use of the Apo-A1 peptide or its salt alone or in pharmaceutical formulations.

Applicant further argues that the '464 patented invention fails to teach the use of "D" peptides.

In response to applicant's arguments against the '464 patented claims individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant argues that the Garber et al. reference fails to teach or suggest why it is obvious to one of ordinary skill in the art to modify the '464 patent peptide-lipid complexes to arrive at the presently claimed invention. Applicant further argues that Garber et al. merely study physical properties of rat peptides but disclose nothing concerning the presently claimed peptides.

Applicant's argument is not found persuasive.

Initially, in response to applicant's arguments against the Garber reference individually (e.g. as not teaching the presently claimed peptides), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is clear from the above rejection that the '464 patented peptides differ only stereochemically from those presently claimed (e.g. '464 patent teach L-peptides vs. D-peptides currently

claimed) and that the Garber reference is being relied upon as motivation to modify L-peptides to D-peptides.

In this respect, the Garber reference clearly teaches that modifying L-amino acid containing Apo-A1 peptides, such as those taught in the '464 patent claims, to contain D-amino acids "would be expected to produce a peptide analogue that should have similar lipid affinity to its L-isomer but would not be susceptible to in vivo proteolytic degradation." See e.g. see Garber page 887, left column as pointed to in the rejection above. Accordingly, contrary to applicant's argument, the Garber reference teaches and/or suggests why it would be obvious to one of ordinary skill in the art to modify the '464 peptides comprising the patented peptide/lipid complexes to arrive at the presently claimed invention e.g. to achieve D-amino acid APO-A1 peptide analogues of comparable bioactivity to their L-amino acid counterparts with the added benefit of being less susceptible to enzymatic degradation.

Accordingly, the above obviousness double patenting rejection is hereby maintained.

IV. Claims 1, 3-9, 12-16, 17, 37 and 57 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of U.S. Patent No. 6,518,412 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94.

The Patent claims ApoA-I agonist peptide compounds Z1-X1-X23-Z2 (including peptide 4 in claim 2 which corresponds to Seq. Id. 4 in new claim 57) and compositions comprising unaltered and altered (e.g. substitution of one or more conservative amino acids at any of X1-X23) and their encoding nucleic acids. The ApoA-1 compounds/compositions taught by the patented claims differ from the presently claimed invention by failing to teach the substitution of D-amino acids for L-amino acids.

However, the Garber et al. reference provides motivation to one of ordinary skill in the art to substitute D-amino acids for L-amino acids in order to produce Apo-A-I agonist analogs which are "less susceptible to in vivo proteolytic degradation" while retaining comparable biological activity (e.g. residence time; clearance; lipid affinity) to its corresponding L-amino acid containing peptide. See entire Garber article, but particularly, abstract; page 887, left column; Tables 2-4; Figures 1-4; and "Discussion" on pages 891 (right column) to page 893, particularly page 892, right column 2nd full paragraph.

Accordingly, it would have been prima facie obvious to one of ordinary skill in the art at the time of applicant's invention to modify the patented compounds (and compositions thereof) to incorporate one or more D-Amino acids in order to obtain Apo-A-1 agonist analogues which are less susceptible to in vivo proteolytic degradation while retaining comparable biological acitivity to the corresponding L-amino acid containing peptides.

Discussion

Applicant's arguments directed to the above obviousness double patenting rejection were considered but deemed nonpersuasive for the following reasons.

Applicant argues (citing the *General Foods Corp* case) that the above double patenting rejection is legally improper since the '412 patent claims are directed to nucleotides and not peptides. In this regard, applicant asserts that a patent claim to a nucleic acid encoding a peptide does not teach (e.g. describe and defined) the peptide.

This argument was considered but deemed nonpersuasive since the encoding nucleic acid is specifically claimed by the L-amino acid containing peptide(s) that it encodes. Accordingly, although drawn to encoding nucleic acid (s) the claims both describe and define the encoded peptides in contradistinction to the *General Foods Corp* case.

In response to applicant's arguments against the Garber et al. reference individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this respect, the patented invention describes/defines the L-amino acid peptide(s) encoded by the claimed nucleotides to which it is obvious to modify to the D-amino acid stereoisomer in light of the Garber reference teaching as discussed in the rejection above.

Accordingly, the above double patenting rejection is hereby maintained.

VIII. Claims 1, 3-9, 12-16, 17, 29, 34, 35, 37, 42 and 57are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-23 (especially claims 1, 7-15 and 23) of US Pat. No. 6,844,327 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94.

The Patent claims an isolated nucleic acid encoding an L-containing amino acid seq. Id. 4 (which corresponds to presently claimed seq. Id. 4 of the present invention) and its pharmaceutical utility (e.g. treating ApoA1 deficiencies: see patent claim 12) through the administering of the nucleic acid encoding the peptide; thus rendering pharmaceutical composition comprising the peptide obvious to one of ordinary skill in the art at the time of applicant's invention.

The compounds/compositions taught by the patent application claims differ from the presently claimed invention by failing to teach the substitution of D-amino acids for L-amino acids in the peptide seq. Id. 4.

However, the Garber et al. reference provides motivation to one of ordinary skill in the art to substitute D-amino acids for L-amino acids in order to produce Apo-A-I agonist analogs which are "less susceptible to in vivo proteolytic degradation" while retaining comparable biological activity (e.g. residence time; clearance; lipid affinity) to its corresponding L-amino acid containing peptide. See entire Garber article, but particularly, abstract; page 887, left column; Tables 2-4; Figures 1-4; and "Discussion" on pages 891 (right column) to page 893, particularly page 892, right column 2nd full paragraph.

Accordingly, it would have been prima facie obvious to one of ordinary skill in the art at the time of applicant's invention to modify the patented application claimed compounds (and compositions thereof) to incorporate one or more D-Amino acids in order to obtain Apo-A-1 agonist analogues which are less susceptible to in vivo proteolytic degradation while retaining comparable biological acitivity to the corresponding L-amino acid containing peptides.

Discussion

Applicant's arguments directed to the above obviousness double patenting rejection were considered but deemed nonpersuasive for the following reasons.

Applicant argues (citing the *General Foods Corp* case) that the above double patenting rejection is legally improper since the '412 patent claims are directed to nucleotides and not peptides. In this regard, applicant asserts that a patent claim to a nucleic acid encoding a peptide does not teach (e.g. describe and defined) the peptide.

This argument was considered but deemed nonpersuasive since the encoding nucleic acid is specifically claimed by the L-amino acid containing peptide(s) that it encodes. Accordingly, although drawn to encoding nucleic acid (s) the claims both describe and define the encoded peptides in contradistinction to the *General Foods Corp* case.

In response to applicant's arguments against the Garber et al. reference individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231

USPQ 375 (Fed. Cir. 1986). In this respect, the patented invention describes/defines the L-amino acid peptide(s) encoded by the claimed nucleotides to which it is obvious to modify to the D-amino acid stereoisomer in light of the Garber reference teaching as discussed in the rejection above.

Initially, in response to applicant's arguments against the Garber reference individually (e.g. as not teaching the presently claimed nucleotides or encoded peptides), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is clear from the above rejection that the '327 (encoded) peptides differ only stereochemically from those presently claimed (e.g. teach L-peptides vs. D-peptides currently claimed) and that the Garber reference is being relied upon as motivation to modify L-peptides to D-peptides.

In this respect, the Garber reference clearly teaches that modifying L-amino acid containing Apo-A1 peptides, such as those taught in the '464 patent claims, to contain D-amino acids "would be expected to produce a peptide analogue that should have similar lipid affinity to its L-isomer but would not be susceptible to in vivo proteolytic degradation." See e.g. see Garber page 887, left column as pointed to in the rejection above. Accordingly, contrary to applicant's argument, the Garber reference teaches and/or suggests why it would be obvious to one of ordinary skill in the art to modify the '327 peptides (and compositions thereof) to arrive at the presently claimed invention e.g. to achieve D-amino acid APO-A1 peptide analogues of comparable bioactivity to

their L-amino acid counterparts with the added benefit of being less susceptible to enzymatic degradation.

Accordingly, the above double patenting rejection is hereby maintained.

Provisional Double Patenting

VII. Claims 1, 3-9, 12-16, 17, 29, 34, 35, 37, 42 and 57 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-36 (particularly claims 1-19 and 29-43) of copending application 10/802,080 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94. This is a provisional obviousness-type double patenting rejection.

The Patent application claims disclose compounds (e.g. including presently elected peptide seq. Id. 4: see '080 claim 19)(and lipid complexes) and pharmaceutical compositions thereof which are within the scope of the presently claimed 22-29 residue unaltered and "altered " ApoA-I agonist peptide compounds Z1-X1-X23-Z2 containing conservative amino acids. The compounds/compositions taught by the patent application claims differ from the presently claimed invention by failing to teach the substitution of D-amino acids for L-amino acids.

However, the Garber et al. reference provides motivation to one of ordinary skill in the art to substitute D-amino acids for L-amino acids in order to produce Apo-A-I agonist analogs which are "less susceptible to in vivo proteolytic degradation" while retaining comparable biological activity (e.g. residence time; clearance; lipid affinity) to its corresponding L-amino acid containing peptide. See entire Garber article, but

particularly, abstract; page 887, left column; Tables 2-4; Figures 1-4; and "Discussion" on pages 891 (right column) to page 893, particularly page 892, right column 2nd full paragraph.

Accordingly, it would have been prima facie obvious to one of ordinary skill in the art at the time of applicant's invention to modify the patented application claimed compounds (and compositions thereof) to incorporate one or more D-Amino acids in order to obtain Apo-A-1 agonist analogues which are less susceptible to in vivo proteolytic degradation while retaining comparable biological acitivity to the corresponding L-amino acid containing peptides.

Discussion

Applicant's arguments directed to the above provisional double patenting rejection were considered but deemed nonpersuasive for the following reasons.

Applicant requested that the above rejection be held in abeyance until either application is allowed.

Accordingly, the above provisional rejection is hereby maintained.

IX. Claims 1, 3-9, 12-16, 17, 29, 34, 35, 37 and 42 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-55 (particularly claims 1-18 and 28-42) of copending application 10/099,574 in view of Garber et al., Arteriosclerosis & Thrombosis, Vol. 12(8) (1992) pages 886-94. This is a provisional obviousness-type double patenting rejection.

The Patent application claims disclose compounds (and lipid complexes) and pharmaceutical compositions which are within the scope of the presently claimed 22-29 residue unaltered and "altered " ApoA-I agonist peptide compounds Z1-X1-X23-Z2 containing conservative amino acids. The compounds/compositions taught by the patent application claims differ from the presently claimed invention by failing to teach the substitution of D-amino acids for L-amino acids.

However, the Garber et al. reference provides motivation to one of ordinary skill in the art to substitute D-amino acids for L-amino acids in order to produce Apo-A-I agonist analogs which are "less susceptible to in vivo proteolytic degradation" while retaining comparable biological activity (e.g. residence time; clearance; lipid affinity) to its corresponding L-amino acid containing peptide. See entire Garber article, but particularly, abstract; page 887, left column; Tables 2-4; Figures 1-4; and "Discussion" on pages 891 (right column) to page 893, particularly page 892, right column 2nd full paragraph.

Accordingly, it would have been prima facie obvious to one of ordinary skill in the art at the time of applicant's invention to modify the patented application claimed compounds (and compositions thereof) to incorporate one or more D-Amino acids in order to obtain Apo-A-1 agonist analogues which are less susceptible to in vivo proteolytic degradation while retaining comparable biological activity to the corresponding L-amino acid containing peptides.

Discussion

Applicant's arguments directed to the above provisional double patenting rejection were considered but deemed nonpersuasive for the following reasons.

Applicant requested that the above rejection be held in abeyance until either application is allowed.

Accordingly, the above provisional rejection is hereby maintained.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Future Correspondences

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bennett Celsa whose telephone number is 571-272-0807. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on 571-273-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bennett Celsa
Primary Examiner
Art Unit 1639

BC
June 27, 2005